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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Khaw *et al.*

Application No.: 09/727,421

Filed: December 1, 2000

For: IMMUNOASSAY TECHNIQUE USING
MULTISPECIFIC MOLECULES

Group Art Unit: 1641

Examiner: L. Cook

Attorney Docket No.: 9449-016-999

REQUEST FOR WITHDRAWAL OF ATTORNEY UNDER 37 C.F.R. 10.40

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On behalf of the following attorneys in the law firm of Pennie & Edmonds, LLP ("Attorneys"), all being attorneys of record in the above-identified application, the undersigned respectfully requests permission for himself and the named attorneys to withdraw from all further responsibility in the above-identified application and all related matters in accordance with the provisions of 37 C.F.R. 10.40:

Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Rory J. Radding (Reg. No. 28749), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), Kenneth L. Stein (Reg. No. 38704), Andrew J. Gray (Reg. No. 41796), Henry C. Lebowitz (Reg. No. 36196), Leo Merken (Reg. No. 41192), Margaret B. Brivanlou (Reg. No. 40922), David R. Owens (Reg.

No. 40756), Matthew E. Langer (Reg. No. 36343), Karen G. Horowitz (Reg. No. 35199), T. Christopher Tsang (Reg. No. 40258), Carl P. Bretscher (Reg. No. 41635) and Laurie A. Axford (Reg. No. 35053).

The undersigned is authorized to signed this request for withdrawal on behalf of himself and the above-named attorneys.

The reason for withdrawal is that Pennie & Edmonds, LLP's client Biospecific, a company founded by Dr. Ben-An Khaw, one of the co-inventors of this application, is in the process of dissolving its business. Accordingly, communications with the inventors and/or Biospecific regarding this application, as well as receiving payment for legal services rendered to them, became extremely difficult.

An Office Action, mailed June 3, 2003, is pending in this application, and thus the six months due date for a response is December 3, 2003, with a three-months extension. A copy of the Office Action was forwarded to Dr. Ben-An Khaw, as well as to Dr. John Zabriskie, CEO of Biospecific (see Exhibit 1). As there was no returned mail, the copy was presumably received by both persons. As indicated in Exhibit 1, Attorneys requested instructions from Dr. Khaw as to how to proceed with this application, but has been unable to obtain the instructions. Attempts to reach Biospecific resulted in Attorneys' discovery that the business is dissolving and no further payments for legal services rendered will be forthcoming. In view of the foregoing, it is respectfully requested that Attorneys be allowed to withdraw from representing the applicants in this application. To preserve Applicants' rights, a Request for Continued Examination is concurrently filed herewith.


In accordance with 37 C.F.R. 10.40(a), a copy of this request, including the attachment, is being mailed to Dr. Khaw and Dr. Zabriskie. A copy of the letter accompanying the same, addressed to Dr. Khaw, is attached hereto as Exhibit 2.

This Request for Withdrawal is enclosed in triplicate.

No fee is believed to be due for this request. If any fees are required, however, please charge such fees to Pennie & Edmonds Account No. 16-1150.

Respectfully submitted,

Date December 3, 2003


Victor N. Balancia (Reg. No. 31,231)
PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, DC 20006-1605
(202) 496-4400

Attachments

Exhibit 1



June 18, 2002

Via First Class Mail

9449-016-999

Dr. Ban-An Khaw
69 Meadowview Road
Milton, MA 02186

Re: U.S. Patent Application Serial No. 09/727,421
Filed: December 1, 2000
For: IMMUNOASSAY TECHNIQUE USING MULTISPECIFIC MOLECULES
By: Khaw et al.

Dear Dr. Khaw:

Enclosed is a copy of a final Office Action, mailed June 3, 2003, which we recently received in connection with the above-identified application. The time set for our response is September 3, 2003. This deadline may be extended on a monthly basis until December 3, 2003, if accompanied by a payment of appropriate extension fees. A copy of the currently pending claims have been included for your convenience.

Please review the enclosed Office Action and contact us at your earliest convenience to discuss how best to proceed. If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa B. Wenk'.

Melissa B. Wenk, Ph.D.
Law Clerk

cc: John Zabriskie, Ph.D. (w/ enclosure)
Berj A. Terzian, Esq.

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Application of: Khaw *et al.*

Serial No.: 09/727,421

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USING MULTISPECIFIC
MOLECULES

Attorney Docket No.: 9449-016-999

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

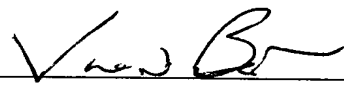
Sir:

It is respectfully requested that the time for filing a response to the Office Action issued June 3, 2003 be extended for a period of three months from September 3, 2003 to and including December 3, 2003.

The fee for this extension is estimated to be \$ 475.00 (small entity). Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully Submitted,

Date: December 3, 2003


Victor N. Balancia
PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, DC 20006
(202) 496-4400

31,231
Reg. No.

Enclosure

Exhibit 2

December 3, 2003

Via Certified Mail

9449-016-999

Dr. Ben-An Khaw
69 Meadowview Road
Milton, MA 02186

WRITER'S DIRECT DIAL:
202-496-4416
INTERNET ADDRESS:
BALANCI@PENNIE.COM
DIRECT FAX NUMBER:
202-835-4664

Re: U.S. Patent Application No. 10/071,397
Filed: February 6, 2002; By: Khaw et al.
For: SIGNAL ENHANCEMENT OF BISPECIFIC ANTIBODY-
POLYMER PROBE FOR IMMUNOASSAY USE

Dear Dr. Khaw:

Enclosed is a request that we filed at the Patent Office to formally withdraw as your representative in the above-identified application, as well as a Request for Continued Examination that we filed to preserve your rights. A copy of this letter is also being sent to Dr. Zabriskie.

Please feel free to contact us if you have any questions or concerns about any of the above.

Sincerely,



Victor N. Balancia

Enclosures

cc: Dr. John Zabriskie (w/encls., via certified mail)